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Attorneys for Plaintiffs  
ZACHARY BOOK, DONALD COWART, and  
JOHN MANNERS

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

ZACHARY BOOK, DONALD COWART,  
and JOHN MANNERS, individually and  
on behalf of all others similarly situated,

Plaintiffs,

v.

APPLE INC.,

Defendant.

Case No. 5:14-CV-04746-EJD

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER SETTING BRIEFING SCHEDULE  
FOR MOTION TO DISMISS FIRST  
AMENDED COMPLAINT UNDER L.R. 6-2**

Complaint Filed: October 24, 2014  
Trial Date: None set

1 WHEREAS, Defendant Apple Inc.'s ("Apple") response to Plaintiffs Zachary Book,  
2 Donald Cowart, and John Manners ("Plaintiffs") Complaint in the above-entitled action is  
3 currently due on or before December 19, 2014;

4 WHEREAS, Plaintiffs intend to file a First Amended Complaint in this action, and shall  
5 do so on or before December 19, 2014;

6 WHEREAS, the parties have agreed to a briefing schedule for Apple's contemplated  
7 motion to dismiss the First Amended Complaint ("Motion"), as follows: (1) Apple shall file its  
8 Motion on or before January 29, 2015; (2) Plaintiffs shall file any opposition to the Motion on or  
9 before March 5, 2015; (3) Apple shall file any reply to the Motion on or before March 19, 2015;  
10 and (4) Apple will notice the hearing on the Motion for April 2, 2015.

11 WHEREAS, this change will not alter the date of any event or any deadline already fixed  
12 by Court order;

13 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the  
14 Parties, through their respective undersigned counsel of record, that: Plaintiffs shall file their First  
15 Amended Complaint on or before December 19, 2014; Apple shall have until January 29, 2015 to  
16 file its Motion (or otherwise respond to the First Amended Complaint), Plaintiff shall have until  
17 March 5, 2015, to file any opposition to the Motion, Apple shall have until March 19, 2015, to  
18 file any reply to the Motion, and Apple will notice the hearing on its Motion for April 2, 2015.

19 IT IS SO STIPULATED.

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1 Dated: December 15, 2014

MATTHEW D. POWERS  
O'MELVENY & MYERS LLP

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3 By: /s/ Matthew D. Powers  
Matthew D. Powers

4 Attorneys for Defendant  
APPLE INC.

5 Dated: December 15, 2014

MICHAEL F. RAM  
6 RAM, OLSON, CEREGHINO &  
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7 GARY E. MASON  
8 STEVEN N. BERK  
ESFAND NAFISI  
9 WHITFIELD BRYSON & MASON LLP

10 By: /s/ Esfand Nafisi  
Esfand Nafisi

11 Attorneys for Plaintiffs  
12 ZACHARY BOOK, DONALD COWART,  
13 and JOHN MANNERS  
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**ATTESTATION OF FILING**

Pursuant to Local Rule 5.1(i)(3) regarding signatures, I, Matthew D. Powers, hereby attest that concurrence in the filing of this Joint Stipulation and [Proposed] Order Setting Briefing Schedule for Motion to Dismiss First Amended Complaint Under L.R. 6-2 has been obtained from Esfand Nafisi with conformed signatures above.

Dated: December 15, 2014

By: /s/ Matthew D. Powers  
Matthew D. Powers

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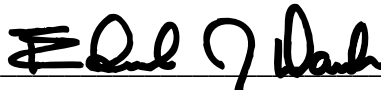
**~~PROPOSED~~ ORDER**

The Court having considered the Joint Stipulation Setting Briefing Schedule for Motion to Dismiss First Amended Complaint Under L.R. 6-2 submitted by the parties, and good cause appearing:

1. The Stipulation is approved;
2. Plaintiffs shall file their First Amended Complaint on or before December 19, 2014;
3. Apple shall have until January 29, 2015, to file its Motion to Dismiss First Amended Complaint or otherwise respond to the Second Amended Complaint (the "Motion");
4. Plaintiff shall have until March 5, 2015, to file any opposition to the Motion;
5. Apple shall have until March 19, 2015, to file any reply to the Motion; and
6. Apple shall notice the hearing on its Motion for April 2, 2015.

**IT IS SO ORDERED.**

DATED: 12/17/2014



Hon. Edward J. Davila  
UNITED STATES DISTRICT JUDGE